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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/724,783	12/01/2003	Vadim Makhervaks	FIS920030281US1	1922
23550 7590 09/30/2008 HOFFMAN WARNICK LLC 75 STATE STREET 14TH FLOOR ALBANY, NY 12207			EXAMINER MURRAY, DANIEL C	
			ART UNIT 2143	PAPER NUMBER
			MAIL DATE 09/30/2008	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Pre-Interview Communication
(For use in the First Action Interview Pilot Program)

Application No.

10/724,783

Applicant(s)

MAKHERVAKS ET AL.

Examiner

DANIEL C. MURRAY

Art Unit

2143

Page 1 of 2

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

THE SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE **ONE MONTH OR THIRTY (30) DAYS**, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

This time period for reply is NOT extendable under 37 CFR 1.136(a). This communication constitutes notice under 37 CFR 1.136(a)(1)(i).

To avoid abandonment of the application, applicant must, within this time period for reply, file:

- (1) A letter requesting not to have a first-action interview, or
- (2) A completed Applicant Initiated Interview Request Form (PTOL-413A) accompanied by a proposed amendment or arguments.

Inventor participation in the Pre-First Action Interview is encouraged if it would expedite resolution of the application.

Disposition of Claims

- 3) ☒ Claim(s) 24-32 is/are pending in the application.
3a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 4) ☒ Claim(s) 27-29 is/are allowed.
- 5) ☒ Claim(s) 24-26 and 30-32 is/are rejected.
- 6) ☐ Claim(s) _____ is/are objected to.
- 7) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 8) ☒ The specification is objected to by the Examiner.
- 9) ☒ The drawing(s) filed on 01 DEC 2003 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 10) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 11) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

*See the attached detailed Office action for a list of the certified copies not received.

Contact Information

Examiner's Telephone Number: 571-270-1773

Examiner's Typical Work Schedule: Monday - Friday 0800-1700 EST

Supervisor's Name: Tonia Dollinger

Supervisor's Telephone Number: (571)-272-4170

TONIA L.M. DOLLINGER
Tonia L.M. Dollinger
9/22/2008

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

Pre-Interview Communication (For use in the First Action Interview Pilot Program)	Application No. 10724783	Applicant(s) MAKHERVAKS ET AL.	
	Examiner DANIEL C. MURRAY	Art Unit 2143	Page 2 of 2

Notification of Rejection(s) and/or Objection(s)

#	Claim(s)	Reference(s) (if applicable)	Rejection Statutory Basis	Brief Explanation of Rejection
1	24-26, 30-32	None	101.	Specification paragraph [0035] (and numerous other parts of the specification) states " ...the systems, functions, mechanisms, methods, engines, and modules described herein can be implemented in hardware, software, or a combination of hardware and software." (continued below)
2	27-29	None	None	Claims 27-29 are allowable over cited prior art. The references neither disclose nor render obvious the claimed features.
3			Specification Objection	paragraph [0015] hyperlink
4			Drawing Objection	figure 1, character 23 not in specification

Expanded Discussion/Commentary

1		Claims 24-26 and 30-32 claim a system. Applicant attempts to claim non-statutory subject matter i.e. software.

DATE: 9/19/2008	/DCM/	TONIA L.M. DOLLINGER 
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